

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

HANS A. QUAACK, ATTILIO PO
and KARL LEIBINGER, on behalf of
themselves and those similarly situated,

Plaintiffs,

v.

DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendant.

No.: 03-CV-11566 (PBS)

STONINGTON PARTNERS, INC., a Delaware
Corporation, STONINGTON CAPITAL
APPRECIATION 1994 FUND L.P., a Delaware
Partnership and STONINGTON HOLDINGS,
L.L.C., a Delaware limited liability company,

Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

No.: 04-CV-10411 (PBS)

GARY B. FILLER and LAWRENCE PERLMAN,
Trustees of the TRA Rights Trust,

Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

No.: 04-CV-10477 (PBS)

JANET BAKER and JAMES BAKER,
JKBAKER LLC and JIMBAKER LLC,

Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

No.: 04-CV-10501 (PBS)

REQUEST FOR SPECIAL ACTION PURSUANT TO LOCAL RULE 5.1(c)

PLAINTIFFS' EMERGENCY MOTION TO COMPEL DEPOSITIONS

Pursuant to Federal Rule of Civil Procedure 37(a) and Local Rules 37.1 and 5.1(c), Plaintiffs in the above-referenced actions respectfully request that the Court enter an Order compelling Dexia to produce the following witnesses for their depositions on the dates agreed to by all counsel over two months ago:

Karl Van Riet – March 6-7, 2006
Philippe Steverlynck – March 8-9, 2006
Francois Saverys – March 10, 13, 2006
Alain Probst – March 14-15, 2006
Claude Piret – March 16-17, 2006

Given that these depositions are scheduled to commence in just over one week in Brussels, Belgium, Plaintiffs have filed this request as an emergency motion under Local Rule 5.1(c).

In support of this motion, Plaintiffs submit the accompanying Memorandum of Law and Declaration of Patrick T. Egan.

WHEREFORE, Plaintiffs respectfully request that the Court enter an Order compelling

Dexia to produce Messrs. Van Riet, Steverlynck, Saverys, Probst and Piret for their depositions on the dates long ago agreed to by counsel.

**Certification Under Federal Rule of Civil Procedure 37(a)(2)(b),
and Local Rules 7.1(a)(2) and 37.1(b)**

Pursuant to Federal Rule of Civil Procedure 37(a)(2)(b), and Local Rules 7.1(a)(2) and 37.1(b), the undersigned counsel hereby certify that on February 23, 2006, Counsel for Plaintiffs conferred via written correspondence with counsel for Dexia in a good faith attempt to resolve the dispute regarding the depositions noticed by Plaintiffs. The parties were unable to resolve their differences.

Request for Oral Argument

Pursuant to Local Rule 7.1(d), Plaintiffs respectfully requests the opportunity to present oral argument in support of the instant motion. Oral argument may assist the Court in the resolution of this motion.

Dated: February 24, 2006

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, hereby certify that on this 27th day of February, 2006, a true and correct copy of the foregoing was served via electronic means, upon counsel listed on the attached service list and also via U.S. Mail on counsel for Dexia Bank Belgium identified on the attached list.

/s/ George R. Coe

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